

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|--|--------------------------------------|
| In re Application of: <i>Dunkeld et al</i> |) Art Unit: 3621 |
| |) |
| Serial No.: 10/016,325 |) Examiner: <i>Augustin, Evens J</i> |
| |) |
| Filed: 12/10/2001 |) |
| |) |
| For: <i>System & Method for Unique Digital Asset</i> |) |
| <i>Identification and Transaction Management</i> |) |

RESPONSE B TO FINAL OFFICE ACTION

Box AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is a formal Response to the Final Office Action dated December 7, 2007 in the present case. Please note that on December 12 Applicant filed a REQUEST FOR CORRECTED/COMPLETE OFFICE ACTION DUE TO APPARENT ERROR(S)/OMISSIONS, which, to date, the Office has not responded to. This is unfortunate because the present record is now incomplete and contains errors that the Applicant has had to respond to without reasonable justification.

The Applicant's December 12 Request – incorporated by reference herein - pointed out that the December 7 Office Action purported to respond to Applicant's August 3 2007 Amendment and Response. However in fact the Office Action contains a number of errors and omissions which affect the Applicant's ability to respond meaningfully and develop an accurate written record for review on appeal. For example, many of the claims are not even addressed. In other cases prior art was applied, even though such reference has been overcome with a declaration from one of the inventors. This has resulted in unnecessary duplication and unproductive discourse on issues which should have been resolved by now.

Applicant thus respectfully requested that the Office Action be re-issued in more complete and accurate form so that an appropriate response could be provided and

advance the state of prosecution in this case. Furthermore pursuant to MPEP 710.06, Applicant requested the benefit of this rule to re-start the period of response to any Office Action until there is clarification on the merits as noted below.

The Office however did not respond to such plea, and for that reason, Applicant is forced to submit the following Response to the (incomplete) Office Action of December 7, 2007. The present response unfortunately has had to address many issues which should be moot at this point. Please note that to the extent a new Office Action presents new rejections Applicant reserves the right to respond to the same as well.

A complete listing of the claims is provided for the Examiner's convenience on page 3.

Remarks begin on page 19.